

FOX ROTHSCHILD LLP

By: Jonathan D. Ash, Esq. (Bar I.D. 022332007)

By: Ian C. Gillen, Esq. (Bar I.D. 338392020)

212 Carnegie Center, Suite 400

Princeton, New Jersey 08540

(609) 896-3600

Attorneys for Defendant Tabula Rasa HealthCare Group, Inc.

AIMEE MORAN,

Plaintiff,

vs.

TABULA RASA HEALTHCARE GROUP,
INC.

Defendant.

Case No.: _____

NOTICE OF REMOVAL

(Document Electronically Filed)

TO: Clerk of the U.S. District Court for the District of New Jersey

Pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1441(a), (c), Defendant Tabula Rasa HealthCare Group, Inc. (the “Defendant”) by and through its attorneys, Fox Rothschild LLP, hereby file this Notice of Removal for the purpose of removing this action from the Superior Court of New Jersey, Law Division, Burlington County, to the United States District Court for the District of New Jersey. In support of removal, Defendants state the following:

1. Plaintiff Aimee Moran (the “Plaintiff”) commenced the above-captioned action on or about January 29, 2025, by filing a Complaint and Jury Demand in the Superior Court of New Jersey, Burlington County, entitled *Aimee Moran v. Tabula Rasa Healthcare Group, Inc.*, Docket No. BUR-L-000230-25. On or about January 31, 2025, undersigned counsel for Defendant

Jonathan D. Ash accepted service of the Complaint. See Exhibit 1. Said action is now pending in that court.

2. A true and correct copy of the Complaint filed in this matter is annexed hereto as **Exhibit 2**.

3. The Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1331, and removal is proper pursuant to 28 U.S.C. § 1441(a), (c), in that federal question jurisdiction exists because Count I alleges that Defendant interfered with Plaintiff's rights under the Family Medical Leave Act ("FMLA"). In particular, Plaintiff alleges that "Defendant interfered with Plaintiff's FMLA rights by failing to restore her to the same or equivalent position." See Exhibit 2 at ¶ 59. And, "As a direct and proximate consequence of Defendant's interference with Plaintiff's right to restoration under the FMLA, she has suffered damages." Id. at ¶ 60. Therefore, Plaintiff is alleging that Defendants violated the FMLA, a federal law, which creates a federal question for this court to resolve.

4. In addition to maintaining original jurisdiction over Plaintiff's federal claim, pursuant to 28 U.S.C. §§ 1367 and 1441(c), this Court also maintains supplemental jurisdiction over Plaintiff's related claims in Counts II and III that each allege a failure to engaged in the interactive process in good faith and a failure to accommodation, respectively, both in violation of the New Jersey Law Against Discrimination. See Conoshenti v. Pub. Serv. Elec. & Gas Co., 364 F.3d 135, 140 (3d Cir. 2004); Eli Lilly & Co. v. Roussel Corp., 23 F. Supp. 2d 460, 467 (D.N.J. 1998). Under 28 U.S.C. § 1367, this Court maintains supplemental jurisdiction over all other claims that are so related to claims in the action within the district court's original jurisdiction that they form part of the same case or controversy. Here, all of Plaintiff's claims arise from the same set of employment-related facts.

5. As provided for in 28 U.S.C. § 1446(b), a defendant must file a notice of removal within thirty (30) days “after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based”

6. Since defense counsel accepted service of the Complaint on January 31, 2025, the filing of this Notice of Removal is timely.

7. As required by 28 U.S.C. § 1446(d), upon the filing of this Notice of Removal, Defendant shall give written notice thereof to Franklin J. Rooks, Esq., attorney for Plaintiff, and Defendant shall file copies of said Notice and Notice of Filing of Removal with the Court Clerk, Superior Court of New Jersey, Law Division, Burlington County.

8. By filing this Notice of Removal, Defendant does not waive any objections it may have as to service, jurisdiction, or venue, or any other defenses it may have to this action including, but not limited to, all defenses specified in Fed. R. Civ. P. 12, and any other defenses.

9. There are no other defendants in this case, so no further consent for removal is needed.

10. Removal to this court is proper pursuant to 28 U.S.C. § 110 because it is the “district and division embracing the place where such action is pending.” See 28 U.S.C. § 1441(a).

WHEREFORE, Defendant removes the above-captioned action now pending against it in the Superior Court of New Jersey, Law Division, Burlington County, to the United States District Court for the District of New Jersey, wherein it shall proceed as an action originally commenced therein.

Respectfully submitted,

Dated: February 28, 2025

By: /s/ Jonathan D. Ash

Jonathan D. Ash, Esq.

FOX ROTHSCHILD LLP

212 Carnegie Center, Suite 400

Princeton, New Jersey 08540

(609) 896-3600

*Attorneys for Defendant Tabula Rasa
HealthCare Group, Inc.*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AIMEE MORAN,

Plaintiff,

vs.

TABULA RASA HEALTHCARE GROUP,
INC.

Defendant.

Case No.: _____

CERTIFICATION PURSUANT TO L. CIV. R. 11.2

The Undersigned hereby certifies that, to the best of my knowledge, the matter in controversy is not the subject of any other action pending in any court or of any pending arbitration or administrative proceeding.

Dated: February 28, 2025

By: /s/ Jonathan D. Ash
Jonathan D. Ash, Esq.
FOX ROTHCHILD LLP
212 Carnegie Center, Suite 400
Princeton, New Jersey 08540
(609) 896-3600
*Attorneys for Defendant Tabula Rasa
HealthCare Group, Inc.*

CERTIFICATE OF SERVICE
(Via Fed Ex)

I am an attorney at Fox Rothschild LLP, attorneys for Defendant in this matter. I hereby certify that on this date I caused a true copy of the foregoing Notice of Removal to be served on Plaintiff, via prepaid overnight express delivery (Fed Ex) to:

Franklin J. Rooks, Jr.
Morgan Rooks, P.C.
525 Route 73 North, Suite 104
Marlton, New Jersey 08053
Attorneys for Plaintiff

I hereby further certify that on this date I caused the Notice of Filing of Removal together with a copy of the Notice of Removal to be delivered for filing via prepaid overnight express delivery (Fed Ex), to:

Clerk, Superior Court of New Jersey
Burlington County Court Facility
49 Rancocas Road
Mount Holly, New Jersey 08060

Pursuant to 28 U.S.C. § 1746, I hereby certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 28th day of February, 2025.

/s/ Jonathan D. Ash
Jonathan D. Ash

FOX ROTHSCHILD LLP

By: Jonathan D. Ash, Esq. (Bar I.D. 022332007)

By: Ian C. Gillen, Esq. (Bar I.D. 338392020)

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Attorneys for Defendant Tabula Rasa HealthCare Group, Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AIMEE MORAN,

Plaintiff,

vs.

TABULA RASA HEALTHCARE GROUP,
INC.

Defendant.

**DECLARATION OF
JONATHAN D. ASH, ESQ.**

I, Jonathan D. Ash, Esq., do hereby declare as follows:

1. I am an attorney at Fox Rothschild LLP, attorneys for Tabula Rasa HealthCare Group, Inc. (the “Defendant”) in the above-captioned matter. I submit this Declaration in support of Defendant’s Notice of Removal. I have knowledge of the following, and if called as a witness, could testify thereto.

2. Attached hereto as Exhibits 1 and 2 are true and correct copies of the Complaint and all other documents filed in the State Court Action bearing the same name as the above-captioned matter filed January 29, 2025 in the Superior Court of New Jersey, Law Division, Burlington County, Docket No. BUR-L-000230-25.

I declare, under penalty of perjury, under the laws of the United States of America, that the foregoing statements are true and correct.

Date: February 28, 2025

/s/ Jonathan D. Ash
Jonathan D. Ash, Esq.